

ATTORNEY DOCKET: POL 3.0-036

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Westhoff et al

Serial No. 09/395,106

Filed: September 14, 1999

For:

**MANHOLE STEP INSERT FOR PREVENTING SEEPAGE DURING
MANUFACTURE OF A CAST MEMBER AND TO PROVIDE A STEP
INSERT HAVING INCREASED STRUCTURAL AND HOLDING
STRENGTH**

I, certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

On November 12, 1999
Darlene Dickinson

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. § 1.56 and in accordance with 37 C.F.R. § 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. § 1.56(b).

(X) In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

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- () In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with () the first or () second After Final Submission, therefore:

 - () Certification in Accordance with § 1.97(e) is attached; or
 - () The fee of **\$240.00** as set forth in § 1.17(p) is attached.
- () In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, therefore:

 - () Certification in Accordance with § 1.97(e) is attached; or
 - () The fee of **\$240.00** as set forth in § 1.17(p) is attached.
- () In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of **\$130.00** as set forth in § 1.17(i)(1).
- (X) Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- () Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

 - () In view of the voluminous nature of references **[list as appropriate]**, and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
 - () In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:

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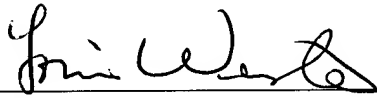
- () Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. , filed .
- () If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-0815.

This form is submitted in duplicate.

Respectfully submitted,

WEINSTEIN & KIMMELMAN

By 

Louis Weinstein

Registration No. 20,477

The Bellevue, Sixth Floor

Broad Street at Walnut

Philadelphia, PA 19102

Phone: 215-985-1133